

EXHIBIT D

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTER DIVISION**

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JUSTIN O'CONNOR, et al., on behalf of himself :
and all other similarly situated, : Case No. 19-cv-5045
:
Plaintiffs, : Consolidated with Case
- against - : Nos. 20-cv-1981, 20-cv-2095,
: And 20-cv-2612
:
FORD MOTOR COMPANY, : Judge Robert M. Dow, Jr.
:
Defendant. :
:
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**DEFENDANT FORD MOTOR COMPANY'S
RULE 26(a)(1) INITIAL DISCLOSURES**

Defendant Ford Motor Company ("Ford") submits its initial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1) as follows:

PRELIMINARY STATEMENT

In the spirit of cooperation and in an attempt to advance the goal of Rule 26(a)(1) to reduce expense and delay, Ford provides this disclosure statement based upon Plaintiffs' Consolidated Amended Class Action Complaint (ECF No. 63) (the "Consolidated Complaint") and Ford's investigation to date. Ford anticipates that it may be able to identify additional witnesses and/or documents, if any, after Plaintiffs have clarified their defect allegations and through discovery (particularly including expert discovery) in accordance with the Federal Rules of Civil Procedure.¹

¹ By serving these initial disclosures, Ford does not waive, and expressly reserves, its rights to compel arbitration against any plaintiff that has entered into an arbitration agreement that applies to any claims in this action.

According to the Consolidated Complaint, the putative “Class Vehicles” containing the alleged defect are 2017-2020 Ford F-150 pickup trucks equipped with a 10R80 transmission. Accordingly, Ford will provide information regarding the named Plaintiffs’ pickup trucks, as well as 2017-2020 Ford F-150 pickup trucks equipped with a 10R80 transmission manufactured and sold in the United States. Ford does not admit or agree, however, that all components and subcomponents of the transmission are at issue in this case.

Ford makes this disclosure without waiving any right or opportunity to assert any appropriate defenses or objections, at any time in this lawsuit, including information contained in any and all documents addressing facts and issues other than that identified above. Specifically, Ford’s disclosure is made without waiving, in any respect, (1) the right to object on the grounds of competency, privilege, relevancy, materiality, proportionality, hearsay, or any other proper ground, to the use of any such information, for any purpose, in whole or in part, in any subsequent stage or proceeding in this action or any other action, and (2) the right to object on any and all grounds, at any time, to any other discovery proceeding involving or relating to the subject matter of this disclosure. In addition, because Plaintiffs may assert, clarify, modify, or otherwise develop defect theories in this lawsuit, Ford reserves the right at any time in this litigation to identify additional witnesses and/or documents, if any, which pertain to any such theories. Finally, Ford states that in making this disclosure, Ford is not identifying documents protected from disclosure by the attorney-client privilege, work product doctrine, consulting expert privilege, or any other applicable privilege.

I. RULE 26(A)(1)(A)(i): *The name and, if known, the address and telephone number of each individual likely to have discoverable information—along with the subjects of that information that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment.*

Ford is presently aware of the following individuals who may possess responsive information concerning the 10R80 transmission equipped in 2017-2020 Ford F-150 pickup trucks, the named Plaintiffs' pickup trucks, the nature of Plaintiffs' alleged damages, and/or Ford's defenses:

1. CASE SPECIFIC WITNESSES

No.	Name	Anticipated Testimony/Area of Knowledge
1.	Michael Barcelona c/o Gregory F. Coleman MILBERG COLEMAN BRYSON PHILLIPS GROSSMAN, PLLC First Tennessee Plaza 800 S. Gay Street, Suite 1100 Knoxville, TN 37929 Tel: (865) 247-0080	Barcelona may have information regarding the allegations and alleged damages in the Consolidated Complaint. Barcelona is the owner of a putative class vehicle, a 2018 Ford F-150, and is expected to have knowledge regarding the purchase, use, maintenance of the pickup truck. Barcelona is also expected to have knowledge regarding his review of any marketing materials reviewed prior to purchase of the pickup truck.
2.	Brian Dougherty c/o Gregory F. Coleman MILBERG COLEMAN BRYSON PHILLIPS GROSSMAN, PLLC First Tennessee Plaza 800 S. Gay Street, Suite 1100 Knoxville, TN 37929 Tel: (865) 247-0080	Dougherty may have information regarding the allegations and alleged damages in the Consolidated Complaint. Dougherty is allegedly the owner of a putative class vehicle, a 2018 Ford F-150, and is expected to have knowledge regarding the purchase, use, maintenance of the pickup truck. Dougherty is also expected to have knowledge regarding his review of any marketing materials reviewed prior to purchase of the pickup truck.

No.	Name	Anticipated Testimony/Area of Knowledge
3.	Daniel Fair c/o Gregory F. Coleman MILBERG COLEMAN BRYSON PHILLIPS GROSSMAN, PLLC First Tennessee Plaza 800 S. Gay Street, Suite 1100 Knoxville, TN 37929 Tel: (865) 247-0080	Fair may have information regarding the allegations and alleged damages in the Consolidated Complaint. Fair is the owner of a putative class vehicle, a 2019 Ford F-150, and is expected to have knowledge regarding the purchase, use, maintenance of the pickup truck. Fair is also expected to have knowledge regarding his review of any marketing materials reviewed prior to purchase of the pickup truck.
4.	William Fiedler c/o Gregory F. Coleman MILBERG COLEMAN BRYSON PHILLIPS GROSSMAN, PLLC First Tennessee Plaza 800 S. Gay Street, Suite 1100 Knoxville, TN 37929 Tel: (865) 247-0080	Fiedler may have information regarding the allegations and alleged damages in the Consolidated Complaint. Fiedler is allegedly the owner of a putative class vehicle, a 2018 Ford F-150, and is expected to have knowledge regarding the purchase, use, maintenance of the pickup truck. Fiedler is also expected to have knowledge regarding his review of any marketing materials reviewed prior to purchase of the pickup truck.
5.	Susan Heller c/o Gregory F. Coleman MILBERG COLEMAN BRYSON PHILLIPS GROSSMAN, PLLC First Tennessee Plaza 800 S. Gay Street, Suite 1100 Knoxville, TN 37929 Tel: (865) 247-0080	Heller may have information regarding the allegations and alleged damages in the Consolidated Complaint. Heller is the owner of a putative class vehicle, a 2018 Ford F-150, and is expected to have knowledge regarding the purchase, use, maintenance of the pickup truck. Heller is also expected to have knowledge regarding her review of any marketing materials reviewed prior to purchase of the pickup truck.
6.	Robert Marino c/o Gregory F. Coleman MILBERG COLEMAN BRYSON PHILLIPS GROSSMAN, PLLC First Tennessee Plaza 800 S. Gay Street, Suite 1100 Knoxville, TN 37929 Tel: (865) 247-0080	Marino may have information regarding the allegations and alleged damages in the Consolidated Complaint. Marino is the lessor of a putative class vehicle, a 2019 Ford F-150, and is expected to have knowledge regarding the purchase, use, maintenance of the pickup truck. Marino is also expected to have knowledge regarding his review of any marketing materials reviewed prior to purchase of the pickup truck.

No.	Name	Anticipated Testimony/Area of Knowledge
7.	Michael McDonald c/o Gregory F. Coleman MILBERG COLEMAN BRYSON PHILLIPS GROSSMAN, PLLC First Tennessee Plaza 800 S. Gay Street, Suite 1100 Knoxville, TN 37929 Tel: (865) 247-0080	McDonald may have information regarding the allegations and alleged damages in the Consolidated Complaint. McDonald is allegedly the owner of a putative class vehicle, a 2018 Ford F-150, and is expected to have knowledge regarding the purchase, use, maintenance of the pickup truck. McDonald is also expected to have knowledge regarding his review of any marketing materials reviewed prior to purchase of the pickup truck.
8.	Victor M. Orndorff c/o Gregory F. Coleman MILBERG COLEMAN BRYSON PHILLIPS GROSSMAN, PLLC First Tennessee Plaza 800 S. Gay Street, Suite 1100 Knoxville, TN 37929 Tel: (865) 247-0080	Orndorff may have information regarding the allegations and alleged damages in the Consolidated Complaint. Orndorff is the owner of a putative class vehicle, a 2018 Ford F-150, and is expected to have knowledge regarding the purchase, use, maintenance of the pickup truck. Orndorff is also expected to have knowledge regarding his review of any marketing materials reviewed prior to purchase of the pickup truck.
9.	Bryan Smith c/o Gregory F. Coleman MILBERG COLEMAN BRYSON PHILLIPS GROSSMAN, PLLC First Tennessee Plaza 800 S. Gay Street, Suite 1100 Knoxville, TN 37929 Tel: (865) 247-0080	Smith may have information regarding the allegations and alleged damages in the Consolidated Complaint. Smith is the owner of a putative class vehicle, a 2018 Ford F-150, and is expected to have knowledge regarding the purchase, use, maintenance of the pickup truck. Smith is also expected to have knowledge regarding his review of any marketing materials reviewed prior to purchase of the pickup truck.
10.	Jason Steen c/o Gregory F. Coleman MILBERG COLEMAN BRYSON PHILLIPS GROSSMAN, PLLC First Tennessee Plaza 800 S. Gay Street, Suite 1100 Knoxville, TN 37929 Tel: (865) 247-0080	Steen may have information regarding the allegations and alleged damages in the Consolidated Complaint. Steen is allegedly the owner of a putative class vehicle, a 2017 Ford F-150, and is expected to have knowledge regarding the purchase, use, maintenance of the pickup truck. Steen is also expected to have knowledge regarding his review of any marketing materials reviewed prior to purchase of the pickup truck.

No.	Name	Anticipated Testimony/Area of Knowledge
11.	Stanislaw Zielinski c/o Gregory F. Coleman MILBERG COLEMAN BRYSON PHILLIPS GROSSMAN, PLLC First Tennessee Plaza 800 S. Gay Street, Suite 1100 Knoxville, TN 37929 Tel: (865) 247-0080	Zielinski may have information regarding the allegations and alleged damages in the Consolidated Complaint. Zielinski is the owner of a putative class vehicle, a 2018 Ford F-150, and is expected to have knowledge regarding the purchase, use, maintenance of the pickup truck. Zielinski is also expected to have knowledge regarding his review of any marketing materials reviewed prior to purchase of the pickup truck.
12.	Employees and representatives of Townsend Sales & Service, Inc. 340 Main Street Townsend, MA 01469 Tel: (844) 338-6950	Knowledgeable regarding the sale and repair and/or service of Barcelona's pickup truck.
13.	Employees and representatives of Colonial Ford of Marlboro 428 Maple Street Marlborough, MA 01752 Tel: (833) 856-4555	Knowledgeable regarding the repair and/or service of Barcelona's pickup truck.
14.	Employees and representatives of Ditschman/Flemington Ford 215 Route 202 Flemington, NJ 08822 Tel: (833) 822-8320	Knowledgeable regarding the sale and repair and/or service of Dougherty's pickup truck.
15.	Employees and representatives of Apple Ford 8800 Stanford Boulevard Columbia, MD 21045 Tel: (833) 808-4821	Knowledgeable regarding the repair and/or service of Dougherty's pickup truck.
16.	Employees and representatives of Hemborg Ford 1900 Hammer Avenue Norco, CA 92860 Tel: (833) 837-6633	Knowledgeable regarding the sale and repair and/or service of Fair's pickup truck.
17.	Employees and representatives of Lake Elsinore Ford 31500 Auto Center Drive Lake Elsinore, CA 92530 Tel: (844) 230-7026	Knowledgeable regarding the repair and/or service of Fair's pickup truck.
18.	Employees and representatives of Greico Ford of Delray Beach 2605 S. Federal Highway Delray Beach, FL 33483 Tel: (833) 804-5590	Knowledgeable regarding the sale and repair and/or service of Fiedler's pickup truck.

No.	Name	Anticipated Testimony/Area of Knowledge
19.	Employees and representatives of Healey Ford 2528 NY-17M Goshen, NY 109224 Tel: (833) 806-5519	Knowledgeable regarding the sale and repair and/or service of Heller's pickup truck.
20.	Employees and representatives of Leo Kaytes Ford Inc. 145 Route 94 South Warwick, NY 10990 Tel: (844) 336-4448	Knowledgeable regarding the repair and/or service of Heller's pickup truck.
21.	Employees and representatives of Morristown Ford, Inc. 1112 West Morris Boulevard Morristown, TN 37813 Tel: (833) 775-4368	Knowledgeable regarding the repair and/or service of Heller's pickup truck.
22.	Employees and representatives of Quirk Ford 540 Southern Artery Quincy, MA 02169 Tel: (844) 336-7185	Knowledgeable regarding the sale and repair and/or service of Marino's pickup truck.
23.	Employees and representatives of York Ford, Inc. 1481 Broadway Saugus, MA 01906 Tel: (844) 326-0670	Knowledgeable regarding the repair and/or service of Marino's pickup truck.
24.	Employees and representatives of Pegues-Hurst Motor Company 200 Spur 63 South Longview, TX 75601 Tel: (833) 878-9878	Knowledgeable regarding the sale and repair and/or service of McDonald's pickup truck.
25.	Employees and representatives of Chapman Ford LLC 3951 Columbia Avenue Columbia, PA 17512 Tel: (833) 827-1658	Knowledgeable regarding the sale and repair and/or service of Orndorff's pickup truck.
26.	Employees and representatives of Crouse Ford Sales, Inc. 11 Antrim Boulevard Taneytown, MD 21787 Tel: (833) 817-7869	Knowledgeable regarding the repair and/or service of Orndorff's pickup truck.
27.	Employees and representatives of Gene Latta Ford, Inc. 1565 Carlisle Pike Hanover, PA 17331 Tel: (833) 853-5308	Knowledgeable regarding the repair and/or service of Orndorff's pickup truck.

No.	Name	Anticipated Testimony/Area of Knowledge
28.	Employees and representatives of Apple Ford of Red Lion 3250 Cape Horn Rd Red Lion, PA 17356 Tel: (833) 893-2392	Knowledgeable regarding the repair and/or service of Orndorff's pickup truck.
29.	Employees and representatives of The Ford Store Morgan Hill 17045 Condit Road Morgan Hill, CA 95037 Tel: (833) 851-6198	Knowledgeable regarding the sale and repair and/or service of Smith's pickup truck.
30.	Employees and representatives of Citrus Motors 1375 S. Woodruff Way Ontario, CA 91761 Tel: (833) 874-6572	Knowledgeable regarding the sale and repair and/or service of Steen's pickup truck.
31.	Employees and representatives of Buss Ford Sales, LLC 111 State Route 31 McHenry, IL 60050 Tel: (844) 336-6325	Knowledgeable regarding the sale and repair and/or service of Zielinki's pickup truck.
32.	Employees and representatives of Surprise Ford 16825 West Waddell Road Surprise, AZ 85388 Tel: (833) 817-1775	Knowledgeable regarding the repair and/or service of Zielinki's pickup truck.

2. FORD MOTOR COMPANY EMPLOYEES

Regarding the identification of Ford representatives or employees, Ford states that due to the complexity of the design and development process, it would be unduly burdensome to identify all individuals or groups of persons responsible for all design decisions. The design of a motor vehicle, including its transmission, is a complex, technical process that takes place over a period of several years prior to actual production. Hundreds of engineers and other technical personnel, including suppliers, have been involved in the design and development of the 10R80 transmission equipped in putative class vehicles. There is no one person, or small group of persons, who had overall responsibility for designing the entire pickup or for all transmission components allegedly at issue in this case. Given this, many persons may have information that Ford may contend is

relevant to its defenses. However, based on the information known at this time regarding Plaintiffs' claims and allegations, and without waiving any objection it may have, Ford identifies the following Ford witnesses:

No.	Name	Area of Knowledge
1.	David Aho Ford Motor Company c/o Hector Torres KASOWITZ BENSON TORRES LLP 1633 Broadway New York, NY 10019 Tel: (212) 506-1730	Mr. Aho is knowledgeable about the design, development, manufacture or servicing of the 10R80 transmissions equipped in 2017-2020 Ford F-150 pickup trucks.
2.	Kara Kennedy Ford Motor Company c/o Hector Torres KASOWITZ BENSON TORRES LLP 1633 Broadway New York, NY 10019 Tel: (212) 506-1730	Ms. Kennedy is knowledgeable about the design, development, testing or manufacture of 10R80 transmissions equipped in 2017-2020 Ford F-150 pickup trucks.
3.	Amy Schang Ford Motor Company c/o Hector Torres KASOWITZ BENSON TORRES LLP 1633 Broadway New York, NY 10019 Tel: (212) 506-1730	Ms. Schang is knowledgeable about warranty claim analysis of 10R80 transmissions equipped in 2017-2020 Ford F-150 pickup trucks.
4.	Matthew L. Fyie Ford Motor Company c/o Hector Torres KASOWITZ BENSON TORRES LLP 1633 Broadway New York, NY 10019 Tel: (212) 506-1730	Mr. Fyie is knowledgeable about the design, development, testing, manufacture or servicing of 10R80 transmissions equipped in 2017-2020 Ford F-150 pickup trucks.
5.	Brian O'Neil (ret.) Last known address is available upon request	Mr. O'Neil is knowledgeable about the design, development, testing or manufacture of 10R80 transmissions equipped in 2017-2020 Ford F-150 pickup trucks.

In addition, Ford may identify additional Ford employees or suppliers who had responsibility for or involvement with the design, development, testing or manufacture of the 10R80 transmission installed in 2017-2020 Ford F-150 pickup trucks at issue in this case that are

identified in discovery, including from a reasonable and proportionate number of Ford custodians from whom Ford will produce documents as it relates to the allegations in this case and pursuant to the parties' ESI protocol or upon agreement of the parties.

Ford also identifies the engineering drawings and other design and testing-related information for the 10R80 transmission equipped in 2017-2020 Ford F-150 pickup trucks, which will identify the name of the design and release engineer(s) or individuals, including suppliers, who may have participated in the design, development, testing or manufacture of the 10R80 transmission or its components. Ford refers Plaintiffs to those documents.

Ford reserves the right to call as a witness any person or expert designated by another party in this case. Ford is still investigating the issues and determining the existence and identity of additional fact witnesses who may possess relevant information. Accordingly, Ford respectfully reserves the right to supplement this disclosure to identify additional witnesses, including, but not limited to, (1) all witnesses designated in any disclosure served by any other party; (2) any and all persons listed in any deposition notices, answer to interrogatories, responses to requests for production, Plaintiffs' discovery responses, any and all subpoenas, and/or other discovery in this action; (3) other witnesses upon reasonable notice to the parties; (4) any and all witnesses necessary for impeachment and/or rebuttal purposes; and (5) experts, as discovery progresses.

II. RULE 26(A)(1)(A)(ii): A copy—or a description by category and location—of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment.

Per Rule 26(a)(1)(A)(ii), Ford hereby discloses the following documents, electronically stored information ("ESI"), and tangible things.

Ford's defenses in this matter depend on the specific legal theories, and the factual bases advanced by Plaintiffs. The allegations in the Consolidated Complaint are general in nature and relate to claims of harsh and/or erratic shifting, and vehicle lunging, hesitation and jerking. Based on its knowledge of this case to date, Ford will produce documents which support its contention that certification of a class action under Fed. R. Civ. P. 23 is not appropriate. Ford will also produce documents that support its contention that it did not breach any express or implied warranty, violate the Magnuson-Moss Warranty Act or any state unfair trade practice or consumer protection law as set forth in the Consolidated Complaint, or engage in fraud or fraudulent concealment with respect to the design, manufacture, sale, and/or performance of the 10R80 transmission in 2017-2020 Ford F-150 pickup trucks. Ford reserves the right to supplement this disclosure as discovery and its investigation continue.

Furthermore, Ford's investigation of Plaintiffs' claims is ongoing and incomplete. Ford may support its claims and defenses using hard copy documents and ESI, including, but not limited to, email and electronic documents such as those created with Microsoft Office and with engineering or manufacturing applications.

Hard copy documents may be located in various locations throughout the company. ESI may be located in employee laptop and desktop hard drives, various file and print servers, email servers, portable media such as CDs and DVDs, mainframe computers, electronic document repositories, and application databases.

To the extent Ford produces engineering drawings in this litigation, it will do so in the format in which they are utilized or stored in the normal course of business. These formats may include drawings in the form of tiff, jpeg, pdf files, etc., and CAD files such as IDEAS files, IDEAS NG files, CATIA, JT files, etc., or various combinations thereof. With respect to the CAD models,

Ford does not own the software to read these files. Ford does, however, use industry standard software that is commercially available to Plaintiffs and their experts. Ford is contractually prohibited from reproducing the software to third parties as it is proprietary to the vendor. To the extent Ford produces CAD models in this case, it will do so subject to the entry of an appropriate protective order. Ford will identify the native format of the software for those components and the related vendor.

Ford discloses that it may support its defenses using ESI located in, or reports generated from, the following databases:

- **CCRG.** Critical Concern Review Group (“CCRG”) Report database contains copies of Critical Concern Review Group reports of potentially critical vehicle concerns.
- **DURIS.** The Durability Information System (“DURIS”) is used to track various types of vehicle durability testing, including Proving Ground test schedules, program status, vehicle incident and concern reporting, driver assignment, and test status.
- **FORDDOC.** The FORDDOC database is used to access engineering drawings and specifications.²
- **GCCT.** The Global Contact Center Technology (“GCCT”) application contains summaries of customer contact information received by Ford through its call center from vehicle owners about their vehicles or sales experience.
- **GCQIS.** The Global Common Quality Indicator System (“CQIS”) database provides access to selected vehicle concern information originating from dealerships and internal Ford sources.
- **GSAR.** The Global System for Analytics and Reporting (“GSAR”) database, which has replaced the Analytical Warranty System (“AWS”) database, contains warranty claims and selected vehicle information.
- **NAVIS.** North American Vehicle Information System (“NAVIS”) is an electronic data source containing selected sales and production information about vehicles manufactured by Ford Motor Company. Among other things, NAVIS includes certain data concerning sales of vehicles by Ford dealers.

² This database replaced and serves the same function as the prior DOCMAN database.

- **OASIS.** Global Online Automotive Services Information System (“GOASIS”) database provides dealers with selected vehicle and technical services information for a specific VIN, including Technical Service Bulletins (“TSB”), Special Service Messages (“SSM”), and General Service Bulletins (“GSB”).
- **WERS.** The Worldwide Engineering Release System (“WERS”) is an information system that manages and communicates parts information to organizations and downstream systems.

In addition, Ford uses other software tools, utilized throughout the automotive industry, for the design and development of its vehicles. Such software tools include computer-aided design tools, computer-aided engineering tools, and motion simulation tools. This software may be proprietary and licensed from third-party suppliers. UNIX systems and Numerically Intensive Computers are used to generate and/or store the ESI utilizing this software.

PRODUCTION TIMING

Pursuant to Magistrate Judge Valdez’s October 26, 2021, Ford states that it will commence a rolling production of documents no later than February 17, 2022. Ford will advise Plaintiffs, however, if it anticipates any issues with meeting the timing of its anticipated production.

IDENTIFICATION OF DOCUMENTS

Without waiving any objections as to admissibility, Ford identifies the following documents or categories of documents:

- Representative Owner’s Guide for 2017-2020 Ford F-150 pickup trucks;
- Scheduled Maintenance Guide for 2017-2020 Ford F-150 pickup trucks;
- Warranty Guide for 2017-2020 Ford F-150 pickup trucks;³
- Factory Invoice for the named Plaintiffs’ Ford F-150 pickup trucks;
- Field Service Action history for the named Plaintiffs’ Ford F-150 pickup trucks;

³ The above materials are available for viewing and/or download at no charge at <https://owner.ford.com/tools/account/how-tos/owner-manuals-search-results.html>.

- Warranty reimbursement records for the named Plaintiffs' Ford F-150 pickup trucks;
- Non-warranty records for the named Plaintiffs' Ford F-150 pickup trucks;
- Copies of Ford Technical Service Bulletins ("TSB"), Special Service Messages ("SSM"), and General Service Bulletins ("GSB") applicable to harsh or erratic transmission shifting and/or vehicle lunging, hesitation or jerking in 2017-2020 Ford F-150 pickup trucks equipped with a 10R80 transmission;
- Representative print and/or video advertising for 2017-2020 Ford F-150 pickup trucks;
- Showroom Brochures for 2017-2020 Ford F-150 pickup trucks;
- Source Books for 2017-2020 Ford F-150 pickup trucks;
- 2017-2020 Ford F-150 pickup truck Shop Manual sections related to the 10R80 automatic transmission and its external controls;
- Engineering drawings and/or CAD files applicable to the mechanical, hydraulic and structural components of the 10R80 transmission equipped in 2017-2020 Ford F-150 pickup trucks;
- Engineering and material specifications applicable to the mechanical, hydraulic and structural components of the 10R80 transmission equipped in 2017-2020 Ford F-150 pickup trucks;
- System Design Specification ("SDS") or other applicable design specifications applicable to the 10R80 transmission equipped in 2017-2020 Ford F-150 pickup trucks;
- Design Verification Plan and Report ("DVP&Rs") applicable to shift quality of the 10R80 transmission equipped in 2017-2020 Ford F-150 pickup trucks;
- AVL test procedure for vehicle shiftability applicable to the 10R80 transmission equipped in 2017-2020 Ford F-150 pickup trucks;
- Durability incident reports applicable to harsh or erratic transmission shifting and/or vehicle lunging, hesitation or jerking in 2017-2020 Ford F-150 pickup trucks equipped with a 10R80 transmission; and
- Federal Motor Vehicle Safety Standard ("FMVSS") 101, 102, 105/135 and 113 certification packages applicable to 2017-2020 Ford F-150 pickup trucks equipped with a 10R80 automatic transmission.

PROPRIETARY AND PRIVILEGED MATERIALS

Consistent with the parties' October 21, 2021 Joint Status Report (ECF No. 86), documents that are protected by the attorney-client privilege or the work product doctrine will not be produced in this lawsuit, and, if required, will be listed on a categorical or metadata privilege log, or otherwise identified as required by the applicable rules of civil procedure, local rules, and case law.

In addition, certain of the documents identified above and to be produced by Ford in this lawsuit are confidential or proprietary in nature. These documents will be clearly designated as such through labeling on each individual page, or in the case of natively produced materials, in the document title or slip sheet, stating "Confidential", "Highly Confidential" and/or "Produced by Ford Subject to Protective Order."

All of the Disclosures herein include information and data in the possession, custody, and control of Ford, as well as that which can be ascertained, learned, or acquired by reasonable inquiry and investigation. Ford will supplement this disclosure statement in accordance with the applicable Federal Rules of Civil Procedure.

III. RULE 26(a)(1)(A)(iii): A computation of each category of damages claimed by the disclosing party—who must also make available for inspection and copying as under Rule 34 the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered.

Ford is not alleging any damages, and as such is unable to disclose, as required by Rule 26(a)(1)(A)(iii), a computation of any category of damages claimed by the disclosing party.

IV. RULE 26(a)(1)(A)(iv): *For inspection and copying as under Rule 34, any insurance agreement under which an insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.*

Based on the allegations in the Consolidated Complaint, Ford does not have insurance applicable to this lawsuit.

Dated: December 2, 2021

KASOWITZ BENSON TORRES LLP

By: /s/ Hector Torres

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*Co-Counsel for Defendant Ford Motor
Company*

**pro hac vice* to be submitted

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument was served on December 2, 2021, on all counsel of record via email.

/s/ *Hector Torres*

Hector Torres